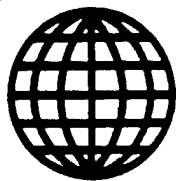


JPRS-CSB-87-005

8 JULY 1987



**FOREIGN
BROADCAST
INFORMATION
SERVICE**

JPRS Report

Reproduced From
Best Available Copy

China

STATE COUNCIL BULLETIN

No 32, 15 DEC 86; No 33, 20 DEC 86

DISTRIBUTION STATEMENT A
Approved for Public Release
Distribution Unlimited

20000105 128

DTIC QUALITY INSPECTED 3

REPRODUCED BY
NATIONAL TECHNICAL E
INFORMATION SERVICE
U.S. DEPARTMENT OF COMMERCE
SPRINGFIELD, VA. 22161

JPRS-CSB-87-005

8 JULY 1987

CHINA

STATE COUNCIL BULLETIN

No 32, 15 Dec 86; No 33, 20 Dec 86

[Translation of the tables of contents and selected items from ZHONGHUA RENMIN GONGHEGUO GUOWUYUAN GONGBAO published in Beijing.]

CONTENTS

Issue No 32

- Provisional Regulations of the PRC Governing Adjustment Tax on Personal Income (Promulgated by the State Council on 25 September 1986)
[Not translated]
- Circular of the State Council General Office on the Circulation of a Report by the Jilin Provincial People's Government on Disaster-Relief Work (31 October 1986) [Not translated]
- Report by the Jilin Provincial People's Government on Disaster-Relief Work (7 October 1986)..... 1
- Detailed Rules for the Implementation of the Resident Identity Card Regulations of the PRC (Promulgated by the Public Security Ministry on 28 November 1986)..... 6
- Written Statement by the Spokesman of the Foreign Ministry of the PRC on the Bill Adopted by the Indian Parliament to Upgrade Arunachal, a Pradesh Established on Illegally Occupied Chinese Territory, to a State" (11 December 1986) [Text published in FBIS-CHI-86-239, 12 December 1986, p F1]

Regulations Governing the Power of Foreign Enterprises in Staff
Employment, Wages, and Expenses for Insurance and Welfare
(Promulgated by the Ministry of Labor and Personnel on
10 November 1986)..... 12

Rules of the PRC Customs Governing the Import of Materials by
Foreign Enterprises Needed for the Fulfillment of Export
Contracts (Promulgated by the General Administration of
Customs on 24 November 1986) [Not translated]

Circular of the State Economic Commission, the State Bureau of
Materials and Equipment, and the State Administration for
Industry and Commerce on the Handling of Vital Capital Goods
by Material Supply and Marketing Enterprises Under Collective
Ownership (28 October 1986)..... 14

Circular of the Ministry of Civil Affairs and the Ministry of
Finance on Strengthening the Management and Protection of
Memorial Structures for Martyrs (28 October 1986) [Not translated]

The First List of Key Memorial Structures for Martyrs Under
Protection (Promulgated by the Ministry of Civil Affairs on
28 October 1986) [Not translated]

Container Customs Convention, 1972 (2 December 1972) [Not translated]

Issue 33

PRC Presidential Decree No 45 [Promulgating PRC Enterprise Bankruptcy
Law (Trial)] (2 December 1986) . [Not translated]

PRC Enterprise Bankruptcy Law (Trial) (2 December 1986) [Published
in FBIS-CHI-86-234, 5 December 1986 p K1]

State Council Proposal Requesting Deliberation on the "Enterprise
Bankruptcy Law (Draft)" (9 March 1986) [Not translated]

PRC Presidential Decree No 46 [Promulgating PRC Border Quarantine
Law] (2 December 1986) [Published in FBIS-CHI-86-235,
8 December 1986 p K10]

PRC Border Quarantine Law (2 December 1986) [Not translated]

State Council Proposal Requesting Deliberation on the "Border
Quarantine Law of the PRC (Draft)" (14 August 1986) [Not translated]

PRC Presidential Decree No 47 [Promulgating PRC Postal Service Law]
(2 December 1986) [Published in FBIS-CHI-86-235, 8 December 1986,
p K10]

PRC Postal Service Law (2 December 1986) [Not translated]	
State Council Proposal Requesting Deliberation on the "PRC Postal Service Law (Draft)" (26 August 1986) [Not translated]	
PRC Presidential Decree No 48 [Promulgating NPC Standing Committee Decision on Revisional Electoral Law] (2 December 1986) [Published in FBIS-CHI-86-235, 8 December 1986, p K11]	
NPC Standing Committee Decision on the Revision of the "Electoral Law for the NPC and Local People's Congresses at Various Levels of the PRC" (2 December 1986).....	16
Electoral Law for the NPC and Local People's Congresses at Various Levels of the PRC (2 December 1986) [Not translated]	
PRC Presidential Decree No 49 [Promulgating NPC Standing Committee Decision on Revision of Organic Law] (2 December 1986) [Published in FBIS-CHI-86-235, 8 December 1986, p K11]	
NPC Standing Committee Decision on the Revision of the "Organic Law of the Local People's Congresses and Local People's Governments at Various Levels of the PRC" (2 December 1986) [Published in FBIS-CHI-86-235, 8 December 1986, p K11]	
Organic Law of the Local People's Congresses and Local People's Governments at Various Levels of the PRC (2 December 1986) [Not translated]	
NPC Standing Committee Decision on Establishment of PRC Ministry of Supervision (2 December 1986) [Published in FBIS-CHI-86 231, 2 December 1986, p K1]	
State Council Proposal Requesting Deliberation on Establishment of Ministry of Supervision (18 November 1986) [Not translated]	
NPC Standing Committee Decision on Establishment of State Machine-Building Industry Commission and the Abolition of the Ministries of Machine-Building and Ordnance Industries (2 December 1986) [Not translated]	
State Council Proposal Requesting Deliberation on the Establishment of the State Machine-Building Industry Commission and the Abolition of the Ministries of Machine-Building and Ordnance Industries (17 November 1986) [Not translated]	
PRC Presidential Decree No 50 [Appointing Zou Jiahua in Charge of the State Machine-Building Industry Commission and Removing Him as Minister of the Ministry of Ordnance Industry] (2 December 1986)	20

State Council Approval of a Request by the Shandong Provincial People's Government To Abolish Huang County and Establish Longkou City (23 September 1986) [Not translated]

State Council Approval of a Request by the Guizhou Provincial People's Government To Abolish Yanhe County and Establish the Yanhe Tujia Nationality Autonomous County (7 October 1986) [Not translated]

State Council Approval of a Request by the Guangxi Zhuang Nationality Autonomous Regional People's Government To Abolish Huanjiang County and Establish Huanjiang Maonan Nationality Autonomous County (1 November 1986) [Not translated]

State Council Approval of a Request by the Liaoning Provincial People's Government To Restore Panshan County and Alter the Name of Panshan Ward (5 November 1986) [Not translated]

State Council Approval of a Request by the Beijing Municipal People's Government To Abolish Fangshan County and Yanshan Ward, and Establish Fangshan Ward (11 November 1986) [Not translated]

State Council Approval of a Request by the Hunan Provincial People's Government To Abolish Leyyang County and Establish Leyyang City (11 November 1986) [Not translated]

JILIN PROVINCE REPORT ON DISASTER-RELIEF WORK

Beijing STATE COUNCIL BULLETIN in Chinese No 32, 15 Dec 86 pp 950-953

[Report by the Jilin Provincial People's Government on Disaster-Relief Work (7 October 1986)]

[Text] The following is a report on the conditions of our province's flood-fighting and disaster-relief work:

This year our province has again suffered from flood disaster of magnitude never before encountered in the past 100 years. It has brought great difficulties to agricultural production and to the people's livelihood and the damage to the economy has been enormous. Under the leadership and concern of the CPC Central Committee and the State Council and with the great support of the appropriate state departments, the party, political, and military organs and people of the whole province joined together, battled bravely against the odds, won successes in their struggles against the flood disaster and, in devoting their whole efforts to protecting the people, the dykes and embankments, the water reservoirs, the animals, and the farmland, have contributed to keeping the losses to a minimum.

In the course of the flood fighting and relief work, the party organs and governments at various levels in the province have strengthened their leadership, and meticulously organized and displayed the functions of battle headquarters. As early as after the high-water season last year, the provincial CPC committee and the provincial government already made clear demands regarding flood-prevention work this year, stood firmly on taking precautions in the high-water season and fighting against heavy calamities, and called for making concrete arrangements and full preparations in various sectors, such as ideology, organization, and the supply of materials. After the arrival of the high-water season, they have promptly advocated disaster-control work as the emergency central task of the whole province. Simultaneously with grasping the above-mentioned vital work, the principal responsible personnel of the province, cities, and counties proceeded right to the frontline of disaster-relief work and gave orders and directions there. Many of the elderly comrades who had already retired to the second and third battalions volunteered to take part in the battles, participated in the decisionmaking and generally played a very important role. On the whole, in the disaster-relief work struggles no losses have been reported as having been due to erroneous command and the leaders at various levels have generally succeeded in passing the severe tests imposed on them.

In the disaster-relief struggles, various units of the PLA stationed in our province, armed police forces and various reserve military units all bravely entered the battlefield, took up the urgent, difficult and dangerous tasks, deployed into the battles more than 25,000 people, 1,300 vehicles, more than 90 assault vessels and rubber boats, and sent planes flying in dozens of times to survey the stricken areas. They disregarded their own safety, filled up breaches in dykes and embankments, stopped the onslaught of flood crests, helped to evacuate the people, saved properties, and in general did meritorious work. People in the stricken areas said: Socialism is good, the Communist Party is amiable and endearing, and the PLA forces are our lifesavers.

The vast masses of peasants are not only the main forces in agricultural production but also the main strength in the disaster-relief work. In the whole province, more than 1.24 million people were mobilized daily. In the aggregate, 11.33 million units of labor power were employed, the vehicles made 640,000 sorties or trips, emergency repairs were made on 2,503 dangerous spots, 1,771 km of embankments were strengthened, and 14.65 million cubic meters of earth and stone were used and consumed. Along the various frontlines throughout the province, the various departments all had the whole situation in mind to start with, closely coordinated and cooperated with each other, used initiative in rendering services to the stricken areas and each in its own post made active contributions to the flood-fighting and disaster-relief work.

This flood-fighting and disaster-relief work which has a bearing on the overall situation and attracts the concern of people of the whole province is also instrumental in promoting the building of socialist spiritual civilization. Our party's superior traditions and workstyle have been further displayed and glorified. The spirit of everybody coming to the rescue of the distressed is fully manifested while heroes and exemplary persons have continuously come forth. Recently the provincial CPC committee and the provincial government jointly convened a summary and commendation meeting on the disaster-relief work at which a general summary was made of the preceding stage of disaster-relief work and commendations and awards were given to 114 exemplary groups and 978 model personages. The meeting also made further mobilization arrangements for the disaster-relief and self-help work.

After the high-water season and simultaneously with making an overall survey of the various kinds of work, we have extensively and in depth mobilized the masses to develop disaster-relief and self-help work. In regard to the guiding ideas, we have emphasized the importance of regeneration through one's own efforts, staging hard and difficult struggles, mutual aid and mutual benefit, production and self-help and rebuilding the state. At present, the progress of disaster-relief and self-help work has been relatively smooth and obvious results have been achieved.

First, the living of the populace in the stricken areas has been well and satisfactorily arranged, reaching the stage of the people having grain for their meals, shelter, clothing and bedding, and medical facilities to rely on in case of illness. There have been no signs of starvation, of being stricken by the bitter cold, or emigrating to outside areas. In attaining the above objectives, an outstanding feat was the excellent handling of the tasks of repairing and rebuilding the fallen and devastated houses. Acting

in accordance with the unified instructions of the province, the various localities have carried out the principles of making on-the-spot arrangements, turning to the easier jobs first before tackling the difficult ones, and handling the jobs by stages. Through various channels, they have raised funds, procured materials, mobilized forces from various sides, and resorted to different forms of self-help. By the end of September, they had repaired and rebuilt in the stricken areas 123,000 houses, about 40 percent of the total number of fallen houses in the areas; 226,000 houses, or roughly 60 percent of the buildings in a dangerous state, have been kept in maintenance. The localities are currently resorting to various ways and means to make emergency repairs of fallen houses and houses in a dangerous state in an effort to take advantage of the 1 month's time before the onset of cold weather to ensure that the stricken populace can pass the winter safely. People of the whole province are wholeheartedly with the stricken populace, actively taking the initiative and self-consciously and voluntarily contributing clothings and materials. Organs directly subordinate to the province and the armed forces alone have contributed more than 1.7 million items of clothing and bedding. Generally speaking, the sentiments of the stricken populace are in a stabilized mood while social order is in good shape.

Second, we have opened wide the doors to production and self-help. If only the products are marketable and the projects can produce effects, active support has been given to the stricken populace to freely engage in them. For the sake of strengthening the stricken areas' capacity in production and self-help, the province, municipalities, and counties have all adopted appropriate methods and measures of a liberal and lenient policy. At present in the disaster-stricken areas production and self-help are developing in an all-round manner. It is anticipated that this winter and next spring the per capita income of the people in the areas can reach about 100 yuan, mainly through engaging in such activities and pursuits as quarrying, digging sand, transport, commerce, knitting, purchasing, catching and breeding fish, making bricks and tiles, rendering services in the cities, labor export, and so forth. Simultaneously, the industrial and communications enterprises have been mobilized to undertake and develop such activities as increasing production, practicing economy, increasing yield and income, retrenching expenses, improving results, and generally rendering aid to the stricken areas. The objective is that by the end of the year each and every staff member or worker will have created a yield of around 100 yuan to the state. In addition, the various other industries and trades have been demanded to achieving an all-round improvement in their economic results and from all sides to augment the strength of disaster-relief and self-help work.

Third, there will never be any relaxing in grain production and efforts are being made to achieve a relatively good harvest in a year of great disaster. After the calamity, we have vigorously turned to post-disaster farmland management, draining away the accumulated water, tending to autumn ridge culture, grass plucking, peeling off the skin of corn and sunning, and a series of measures aiming at protection against low temperature and facilitating the early ripening of crops. The objectives are that the unaffected areas increase production and yield, producing a bountiful harvest to replenish poor harvests

elsewhere and that the stricken areas reduce their production but not abandon it altogether. Various localities have tentatively surveyed their farmland and production conditions and found that this year the stricken areas have suffered heavily from the disaster and production will be greatly reduced but that in the unaffected areas the crops are in very good shape and there will be a large production increase. This year CPC Central Committee Document No 1 has won the acclaim of the people, been implemented well, made a rational adjustment of the planting and farming structure, strengthened the leadership over and the services to grain production, and generally increased the input into agriculture. Moreover, the temperature in September was good and the frost season was late in coming. All this has made it possible to anticipate that this year the gross grain output of the whole province will be higher than that of last year. Hence, in a year of great disaster, efforts have been made to make more contributions to the state.

Fourth, earnest efforts are being made to repair and restore flood-damaged works. As a result of the various localities having thoroughly grasped this work, repair work on a number of projects has been completed. The province has organized five headquarters to separately take charge of repairing and restoring the flood-damaged water conservancy projects, roads and bridges, electric power plants and stations, postal and telecommunication facilities, and middle school and primary school buildings. The various phases of work are developing in an all-round manner. Regarding the water conservancy projects, the target is to complete the greater part of the earthwork tasks before the coming of the freezing season this year and to have all the projects completed before the high-water season next year. As for farmland water conservancy construction, it is planned that by next year the fields can be irrigated and superfluous water can be drained off. Currently, forces are being organized to grasp the furrowing and tilling of farmland in the autumn season so as to restore the productive power of places which have been damaged by the flood. At the same time, the lessons learned from the 2 years of disaster are being earnestly summarized and a good job is being done in unifying the requirements for the various projects, making rational arrangements for them, incorporating them into the plan and putting them into operation in separate stages. The post-disaster mopping up work is indeed very strenuous. In the arrangements, we have considered the situation as a whole, stressed the major points, looked both forward and behind, contrived all-round arrangements, and through tedious work are creating the necessary conditions for the vigorous development of agricultural production next year.

Fifth, managing relief funds well and making good use of them. To meet the urgent needs for relief purposes, we have ourselves made appropriations of relief funds promptly and in advance. Following the receipt of relief funds bestowed by the state, we have many times carried out studies on, determined, and reiterated the following principles: Use of the relief funds must strictly follow the state's regulations, prominence must be given to the major points and distribution of the funds should not be made in an egalitarian manner; handling of the funds must strictly follow the prescribed procedure and the distribution must be rational; special funds must be for special usages and should not be detained, diverted to other uses, or improperly employed as opportunities may occur; we should both look forward and behind, make

rational arrangements and the relief funds must be linked with the relief tasks, projects, and effects; insurance of the relief funds should adopt the combined method of noncompensatory relief and compensatory support; the relief funds use-responsibility system must be enforced, special accounts must be prepared, and rigid systems governing distribution, use, management, inspection, and audit must be established. In the event of violation of the above-mentioned principles, tracing of the responsibility must be made. Up to now, no big problems have emerged. In the future, we shall dispatch special inspection teams to make an overall checking and inspection.

For 2 years in succession, our province has been struck by disaster. The difficulties have been great and the relief tasks extremely arduous. There has been much disparity and imbalance in work, although there have also been many advantageous conditions. We are firmly resolved that under the leadership of the CPC Central Committee and the State Council and with support and aid from the various departments, we shall lead the people of the whole province to work arduously and to ceaselessly strengthen ourselves so that on the foundation of achieving successes in the disaster-relief struggles, we can further achieve an all-round victory in the disaster-relief and self-help work.

Kindly let me know if the above report meets with your approval.

/8309

CSO: 4005/567

RULES ON IMPLEMENTATION OF RESIDENT IDENTITY REGULATIONS

Beijing STATE COUNCIL BULLETIN in Chinese No 32, 15 Dec 86 pp 953-958

[Detailed Rules for the Implementation of the Resident Identity Regulations of the PRC (Promulgated by the Public Security Ministry on 28 November 1986)]

[Text]

Chapter I. General Rules

Article 1. These detailed rules are formulated according to the provision of Article 19 of "The Resident Identity Regulations of the PRC."

Article 2. The Public Security Ministry shall formulate the form of the resident identity card, the artwork for making the identity card, the "permanent population registration form" to be filled in when applying for the resident identity, and "the registration form for numbering the resident identity cards according to serial order" for use in the work of giving numbers to the resident identity cards.

Article 3. Resident identity cards are closely encased in thin polyester membranes and are in single-page card form; public security organs shall have unified charge of their printing, issuance, and control.

Public security departments (bureaus) of provinces, autonomous regions, and directly subordinate municipalities may, according to need, set up centers or stations for making identity cards and report same to the Public Security Ministry for its information.

Article 4. Household registration organs shall be responsible for the daily work of handling citizens' application for, changing, or taking new resident identity cards.

Article 5. Since issuance of resident identity cards is an important element in the household control system, the principles of facilitating the populace and scientific management shall be implemented.

Chapter II. Application

Article 6. A Chinese citizen having attained the full age of 16 shall go to the household registration organ of the place of his permanent abode and apply for a resident identity card.

A citizen having attained the full age of 16 shall within 30 days from his birthday make the application for the resident identity.

Article 7. Overseas Chinese returning to the country for permanent residence, Hong Kong and Macao compatriots returning to the interior for permanent residence and Taiwan compatriots returning to the mainland for permanent residence shall, if they have already attained the full age of 16, apply for resident identity simultaneously with applying for household registration.

Article 8. Aliens and stateless persons residing in China who have been approved to become PRC nationals and have attained the full age of 16 years shall apply for resident identity simultaneously with applying for household registration.

Article 9. Persons who have been sentenced to imprisonment and given the penalty of a set term of imprisonment (or above), persons subjected to reeducation through labor, and persons under detention who have not yet received their resident identity cards shall, following their release from custody or exemption from reeducation through labor, apply for resident identity.

Persons who have been put under surveillance or who have been sentenced to extra penalty and persons who have been sentenced to imprisonment and a set term of imprisonment but have been temporarily suspended from execution of the sentence shall apply for resident identity.

Article 10. Citizens applying for resident identity shall fill in the "permanent population registration form," present the household card for examination, and attach two recent photos of standard size.

Chapter III. Changing or Taking New Resident Identity Cards

Article 11. In the event of a citizen's permanent residence having been changed or changed within the administrative areas of the same city and the administrative areas of the same country, there shall be no need to change the resident identity.

In the event of a citizen's permanent residence having been moved out of the administrative area subordinate to the city and the county, he shall have, simultaneously with performing the procedure of household or residence registration in the place to which he has newly moved, apply for changing his resident identity.

Article 12. A citizen who has been conscripted for active duty shall, in performing the procedure of canceling his residence, return his resident identity card. A citizen having retired from active duty and returned to his original place of abode for residence, and if the effective period of his original resident identity card has not yet expired, may continue to use the original resident identity card. If the card's effective period has expired, he shall apply for a new one. A citizen having retired from active duty and not returning to his original place of abode for residence shall apply to the household registration office of his current place of abode for a new residence identity card and the new card shall bear the original serial number.

Article 13. A citizen leaving the territory for residence elsewhere shall, when canceling his household or residence, return the resident identity card.

Article 14. In the event of a citizen who has already obtained his resident identity card having been detained or arrested for a crime, his resident identity card shall be taken away and placed into the file of his case by the public security organ carrying out the detention or arrest. If he is sentenced to a penalty or approved for reeducation through labor, his resident identity card shall be given by the people's court or the organ sanctioning the reeducation through labor to the organ carrying out the sentence or the reeducation through labor for keeping. When he is released from custody or is set free from reeducation through labor, the organ carrying out the sentence or the reeducation through labor shall return the resident identity card to him.

If the person who has been released from prison or from reeducation through labor returns to his original place of abode for residence, and if the effective period of his resident identity card has not yet expired, he may continue to use the card; but if the period has expired, he shall apply for a new card. If he does not return to his original place of abode for residence, he shall apply to the household registration organ of his current place of abode for the issuance of a new card.

Article 15. A citizen shall apply for a new resident identity card 3 months prior to the expiry of the effective date of his resident identity card and the household registration organ shall issue to the citizen a new resident identity card prior to the expiry of the effective date of the original card.

Article 16. If a citizen's resident identity card has been defaced, torn, or become illegible, he shall apply for a new one.

Article 17. A citizen requiring to change the content of the registration of his resident identity shall, simultaneously with applying for making the change, apply for the exchange of a new resident card.

Article 18. If a citizen has misplaced his resident identity card, he shall immediately report the same to the public security organ. If after 3 months from the date of his report the card has not yet been recovered, he shall apply for a new card.

If after issuance of a new card the original card is recovered, the original card shall be turned over to the household registration organ.

Article 19. When applying for changing a resident identity card or the issuance of a new one, the applicant shall fill in the "permanent population registration form," and present two recent standard-size photos of himself. The household registration organ to which application is made for the exchange of a new resident identity card shall, simultaneously with giving the applicant the new card take back the original card. In the event of the application for the issuance of a new resident identity card, the original card shall become void.

Chapter IV. Uses

Article 20. If in attending to the following affairs, a citizen is required to prove his identity, he may produce his resident identity card:

- (1) Elector registration;
- (2) Household registration;
- (3) Military service registration;
- (4) Marriage registration;
- (5) School enrollment; employment;
- (6) Carrying out notarial affairs;
- (7) Proceeding to the controlled border area;
- (8) Applying for an exit permit;
- (9) Participating in litigation matters;
- (10) Applying for driving licenses and operation permits for motor vehicles and motor vessels; also for licenses for non-motor-driven vehicles;
- (11) Applying for individual business license;
- (12) Applying for individual credit and loan businesses;
- (13) Participating in social insurance; procurement of social relief funds;
- (14) Purchasing tickets on CAAC planes;
- (15) Registering when staying overnight in hotels;
- (16) Collecting remittance and postal matters;
- (17) Leaving articles for sale on trust; and
- (18) Attending to other matters.

Article 21. With the exception of a public security organ which according to law may adopt compulsory measures against the accused and may hold and detain a resident identity card, no other unit or individual shall be allowed to hold or detain a citizen's resident identity card or put it under bond.

Chapter V. Issuance

Article 22. The issuing organ of resident identity cards is the county public security bureau, city public security bureau of a city which has no districts and city public security subbureau of a city having districts. The household registration organ takes charge of the actual task of issuing resident identity cards.

Article 23. The items of the relevant citizen's report entered in the "permanent population registration form," when checked and found in order and signed by the applicant himself or by his agent, shall form the evidence for the issuance of his resident identity card.

Article 24. The effective period of a resident identity card is counted from the date of its signing and issuance.

Article 25. The household registration organ shall, within 3 months, issue the verification document to the applicant citizen upon his completion of the procedure of applying for, exchanging or asking for the issuance of a new resident identity card.

Chapter VI. Fixing the Serial Number (deleted)

Chapter VII. Control (deleted)

Chapter VIII. Inspection

Article 40. A citizen shall always carry his resident identity card on his person and have it safely and well kept.

Article 41. Under following conditions, public security organs shall be empowered to inspect a citizen's resident identity card:

- (1) When tracking escaped criminals, or investigating a crime, coming across suspicious characters or persons alleged to have committed criminal acts, it is necessary to inspect the resident identity cards;
- (2) In maintaining public order in public services, such as railways, highways, water transport, and civilian airlines, or in the course of patrol work, meeting characters found to have violated security regulations, it is necessary to inspect the resident identity cards;
- (3) When making on-the-spot investigation on various kinds of disasters and calamities and abruptly arising contingencies;
- (4) When performing household registration procedures and household checking work.

Article 42. Household registration organs shall, in combination with their daily management work, make periodical inspections of resident identity cards.

Article 43. When public security personnel carry out on official business and according to law, the inspection of a citizen's resident identity card, they shall first of all show their work credentials.

Chapter IX. Supplementary Rules

Article 44. A citizen obtaining his resident identity card for the first time shall be exempted from paying the cost of production of the credential. When a citizen applies for a new card, he shall pay the production cost of the card.

When a citizen misplaces his resident identity card and applies for another card, he shall pay expenses equivalent to triple the production cost of the card.

Article 45. The cost expense of the credential shall be fixed by the Ministry of Finance according to the production cost.

The credential's production cost paid by the citizens shall be incorporated into the revenues of the budgets of the localities to be delivered in whole to the national treasury.

Article 46. These detailed rules shall go in force on the day of promulgation.

/8309

CSO: 4005/567

RULES ON POWER OF FOREIGN ENTERPRISES IN LABOR COSTS

Beijing STATE COUNCIL BULLETIN in Chinese No 32, 15 Dec 86 pp 959-960

[Regulations Governing the Power of Foreign Enterprises in Staff Employment, Wages, and Expenses for Insurance and Welfare (Promulgated by the Ministry of Labor and Personnel on 10 November 1986)]

[Text] In order to implement the "State Council's Regulations Governing Encouragement of Investments by Foreign Enterprises," protect the power of foreign enterprises in staff employment, and appropriately determine the wages and expenses for insurance and welfare of their Chinese staff, the following special regulations are made:

I. Relating to the Power of Foreign Enterprises in Staff Employment:

(1) Foreign enterprises may, according to production and operation needs, themselves determine their structural composition and personnel organization and, with the cooperation and help of the labor and personnel departments in their respective localities, invite applications for employment and by means of tests and examinations select the best for appointment.

In the event that the needed engineering and technical personnel and operation and management personnel of the foreign enterprises cannot be procured locally, the foreign enterprises may, following the approval of the labor and personnel departments in their respective province, or autonomous region or directly subordinate municipality consulting and obtaining the concurrence of the labor and personnel departments of the relevant regions, appoint same from outside areas.

(2) In the event that the engineering and technological personnel, operation and management personnel and technicians decided for appointment by the foreign enterprises following tests and examinations are already in employment, the original units of employment shall be cooperative and let them join the other enterprises. Disputes, if any, shall be subject to arbitration by the labor and personnel departments in their respective regions.

(3) The senior management personnel assigned by the Chinese side to work in the foreign enterprises should be persons who can grasp policies, know technology, are capable in management, courageous in developing, and able to cooperate and work with foreign merchants. The relevant departments shall support their work, and during their period of employment, shall in general refrain from transferring them from their posts; if their transfer is necessary, concurrence must be obtained from the board of directors.

(4) Foreign enterprises may discharge those personnel who, after working on probation or after training, are found to be below the required standard and personnel who have become surplus or superfluous following changes in the production and technological conditions of the enterprises. As for those staff members and workers who have been found to have violated the rules and regulations of the enterprises and caused certain definite consequences, the foreign enterprises may deal with them according to the severity of their cases and even discharge them.

II. Relating to Staff Wages and Expenses for Insurance and Welfare:

(1) The wage level of staff of foreign enterprises shall be determined by their board of directors according to the principle of not lower than 120 percent of the average wages of the state-run enterprises in the same locality which have nearly the same industrial or trade conditions, and may be adjusted by steps in accordance with the good or poor economic results of the enterprises. If the economic results are good, the increases may be larger; conversely, the increases may be smaller or none at all.

(2) Foreign enterprises shall follow the regulations of the people's government of the locality and pay the retirement and pension funds and unemployment insurance funds of the staff of the Chinese side. The staff's insurance and welfare benefits shall be enforced according to the Chinese Government's relevant regulations for state-run enterprises; the needed expenses shall be paid based on the production cost expenses of the enterprises.

(3) The foreign enterprises shall, according to the regulations of the people's governments of the localities, pay residence and dormitory subsidy funds to be administered by the Chinese side of the enterprises on subsidizing the expenses for building and purchasing staff residences and dormitories.

/8309

CSO: 4005/567

CIRCULAR ON HANDLING OF VITAL CAPITAL GOODS BY COLLECTIVES

Beijing STATE COUNCIL BULLETIN in Chinese No 32, 15 Dec 86 pp 963-964

[Circular of the State Economic Commission, the State Bureau of Materials and Equipment, and the State Administration for Industry and Commerce on the Handling of Vital Capital Goods by Material Supply and Marketing Enterprises Under Collective Ownership (28 October 1986)]

(Jing-sheng [4842 3932] (1986) No 663)

[Text] State Council documents Guo-fa [0948 4099] (1985) No 36 and No 37 (published in issue No 9, 1985 of this bulletin) stipulated: The supply business of vital capital goods and the wholesale business of durable consumer goods in short supply shall be handled by state-run commerce, materials supply and marketing departments, supply and marketing cooperatives, and enterprises producing these products. In the course of implementing this stipulation, certain localities have asked for clarification as to whether or not material supply and marketing enterprises under collective ownership may engage in the supply business of vital capital goods. We have submitted our views to the State Council and obtained their concurrence. Now we circulate to you the relevant problems as follows:

1. The handling of vital capital goods by material supply and marketing enterprises under collective ownership plays an important role in invigorating the circulation of materials. Hence, except when otherwise specified by the State Council, material supply and marketing enterprises under collective ownership, based on needs and according to the appropriate regulations, may handle vital capital goods. However, this should be confined mainly to handling vital capital goods outside of the plan although they may still handle some of the supply business inside the plan. Labor service companies shall not handle vital capital goods.

2. Departments in charge of production and the material supply and marketing structures under collective ownership of enterprises (including township enterprises) may, according to the production construction needs of their own departments and their own enterprises, purchase and supply vital capital goods to their own departments and their own enterprises. If regulation or readjustment is needed, they shall go to legal trade centers for capital goods, exchange markets, and material markets, or entrust material departments to do the marketing or exchange work.

3. Enterprises subordinate to material departments, enterprises entrusted by material departments, as well as enterprises of material departments and material supply and marketing enterprises under collective ownership jointly run by other units may engage in dealings on essential capital goods.

4. Material supply and marketing enterprises under collective ownership shall strictly enforce the state's relevant regulations governing materials, commodity prices, and industrial and commercial control. Material departments and industrial and commercial control organs of various localities shall cooperate with each other to strengthen their supervision and control of the existing operation networks and stations. Newly established networks and stations shall have to be approved by departments in charge of materials or by the State Planning Commission, or State Economic Commission followed by approval, registration, and issuance of business license by the industrial and commercial administrative and control organs of the respective localities.

Governments at various localities are requested to implement the above circular in combination with the actual conditions of their localities. If problems emerge in the course of execution, the local governments are requested to cooperate in their settlement.

/8309

CSO: 4005/567

ELECTORAL LAW FOR NPC, LOCAL PEOPLE'S CONGRESSES ADOPTED

Beijing STATE COUNCIL BULLETIN in Chinese No 33, 20 Dec 86 pp 999-1001

["NPC Standing Committee Decision on the Revision of the 'Electoral Law for the NPC and Local People's Congresses at Various Levels of the PRC'"--Adopted at the 18th Session of the 6th NPC Standing Committee on 2 December 1986]

[Text] The 18th Session of the 6th NPC Standing Committee has, in accordance with the basic principles of the constitution and the Electoral Law and the practical experiences of electoral work over the last few years, decided to make the following revisions and additions to the "Electoral Law for the NPC and Local People's Congresses at Various Levels of the PRC":

1. A clause is to be added to Article 6, as Clause 2: "Citizens of the PRC who reside abroad, may, if in China during the period of elections for people's congresses below county level, participate in the election in their original domicile or their place of residence before leaving the country."
2. The stipulations of Article 7, Clause 2 in respect of "The electoral committees of townships, nationality townships, and small towns will be subject to the leadership of the people's government of the township, nationality township, or small town" is to be changed to "Township, nationality township, and small town electoral committees are to be subject to the leadership of the electoral committees of cities which are not divided into districts, city-administered districts, counties, or autonomous counties."

A third clause is to be added: "The Standing Committee of people's congresses of provinces, autonomous regions, directly-administered cities, cities divided into districts and autonomous subprefectures shall guide the electoral work of the people's congresses at county level and below within these administrative areas."

3. Article 12, Clause 2 is to be changed to: "The number of deputies to the NPC shall not exceed 3,000. The distribution of the deputies shall be decided by the NPC Standing Committee in accordance with the situation."

4. Article 16, Clause 2 is to be changed to: "When the total population of a single national minority inhabiting a region constitutes more than 30 percent of the total population of that region, the number of people represented by each representative should match the number of people represented by each of the representatives to the people's congress of that place."

A fourth clause is to be added: "When the total population of a single national minority inhabiting a region constitutes over 15 percent but less than 30 percent of the population, the number of people represented by each representative can be appropriately less than the number of people represented by each of the representatives to the people's congress of that place. However, the number of minority nationality representatives cannot exceed 30 percent of the total number of representatives."

5. Article 22 is to be changed to: "The representative quotas for the people's congresses of cities not divided into districts, city-administered districts, counties, autonomous counties, townships, nationality townships and small towns will be allocated to electoral districts and elections will be carried out in accordance with electoral districts. Electoral districts can be determined in accordance with the residential situations or in accordance with production units, institutional units and work units."

6. Article 23, Clause 1 is to be changed to: "Registration of electors shall be carried out in accordance with electoral districts and the elector qualifications confirmed by the registration shall have long-term validity. Prior to each election, people who have reached 18 years of age or people who, having previously been deprived of their political rights for a period, have had their political rights restored since the previous registration of electors, shall be registered as electors. Electors who, after being registered in one electoral district move to a new electoral district shall be entered on the name-list of electors of the new electoral district. The names of those people who die or who are deprived of their political rights in accordance with the law, shall be removed from the name-list of electors."

7. The stipulation of Article 25 in respect of "If the declarant does not agree with the decision, he can bring the case to a people's court. The decision by the people's court will be final." is to be changed to "If the declarant does not agree with the decision, he can, at least 5 days prior to the election, bring the case to a people's court. The people's court should make a decision prior to the election day. The decision by the people's court will be final."

8. Article 26, Clause 2 is to be changed to: "All political parties and all people's organizations can, either jointly or individually recommend candidates for election as representatives. Electors or representatives can also, through the joint representation of 10 people or more, recommend candidates for election as representatives. Those recommending candidates for election should provide details of the candidate to the electoral commission or the congress presidium."

9. Article 27, Clause 2 is to be changed to: "The number of candidates for representatives to be directly elected by the electors should be from one-third more to twice the number of representatives to be elected. The number of candidates for representatives to be elected by the various levels of local people's congresses to the next higher level of people's congress should be from one-fifth to one-half more than the number of representatives to be elected."

10. Article 28 is to be changed to: "Candidates for direct election by electors as representatives in people's congress shall be proposed and recommended by the electors of various electoral districts, the various political parties, or the various people's organizations. After the electoral committee has collected these recommendations together, it shall promulgate them at least 20 days prior to the election day. Through repeated consideration, discussion, and consultation by the electoral group of that electoral district and in accordance with the suggestions of a fairly large number of electors, an official name-list of candidates for election as representatives shall be decided and promulgated at least 5 days prior to the election day.

When local people's congresses at various levels above the county level are electing representatives to the next higher people's congress, the Presidium of the people's congress at that level will submit to the whole body of representatives the name-list of the candidates for election as representatives recommended by the various political parties, various people's organizations, or representatives. Through repeated consideration, discussion, and deliberation and in accordance with the suggestions of a fairly large number of electors, an official name-list of candidates for election as representatives shall be decided.

11. Article 30 is to be changed to: "The electoral commission or the Presidium of the people's congress shall provide details of the candidates for election as representatives to the electors or the representatives. The political party, people's organization, elector, or representative which recommended a candidate for election as a representative can, at meetings of the electoral group or representative group, provide details about the candidates they have recommended. However, on the election day, they must cease providing details of the candidates."

12. Article 35 is to be changed to: "If an elector will be away during the period of the election, he may, with the approval of the electoral committee, appoint, in writing, a proxy elector to cast his vote. No elector can be the appointed proxy of more than three persons."

13. Article 38, Clause 1 is to be changed into two clauses, Clause 1 and Clause 2:

1. "When electors are directly electing people's congress representatives, the election shall be valid of more than one-half of the total voters of the electoral district cast votes. Candidates for election as representatives shall only be considered elected if they obtain more than one-half of the votes of those electors who participate in the election."

2. "When local people's congresses above the county level are electing representatives to the people's congress at the next higher level, candidates for election as representatives shall be considered elected if they obtain over one-half the votes of the whole body of representatives."

14. A clause is to be added to Article 40 as Clause 3: "The specific procedures by which representatives are to be recalled shall be stipulated by the Standing Committees of the people's congresses of the provinces, autonomous regions, and directly-administered cities."

15. Article 41 is to be deleted and the following article is to be added as Article 41: "Representatives to the NPC and representatives to the people's congresses of provinces, autonomous regions, directly-administered cities, cities divided into districts, and autonomous subprefectures can submit their resignations to the Standing Committee of the people's congress which elected them.

16. A clause is to be added to Article 42, as Clause 4: "When byelections are held for representative positions which fall vacant, the number of candidates for election as representatives can be greater than the number of representatives to be elected, or can be equal to the number of representatives to be elected. The procedures and forms of byelection shall be stipulated by the Standing Committees of the people's congresses of the provinces, autonomous regions, and directly-administered cities."

Apart from this, in accordance with the constitution and this decision, appropriate adjustments and revisions have been carried out in respect of the language and sequence of some articles.

The "Electoral Law for the NPC and Local People's Congresses at Various Levels of the PRC" has been appropriately revised in accordance with this decision, and is promulgated anew.

/8309

CSO: 4005/653

ZOU JIAHUA NAMED MINISTER IN CHARGE OF NEW STATE COMMISSION

Beijing STATE COUNCIL BULLETIN in Chinese No 33, 20 Dec 86 p 1036

["PRC Presidential Decree No 50"]

[Text] In accordance with the decision taken by the 18th Session of the 6th NPC Standing Committee on 2 December 1986:

Zou Jiahua [6760 1367 5478] is appointed as Minister in Charge of the State Machine-Building Industry Commission; Zou Jiahua is removed from his post as minister of Ordnance Industry.

Li Xiannian

President of the PRC

2 December 1986

/8309

CSO: 4005/635

- END -

This is a U.S. Government publication. Its contents in no way represent the policies, views, or attitudes of the U.S. Government. Users of this publication may cite FBIS or JPRS provided they do so in a manner clearly identifying them as the secondary source.

Foreign Broadcast Information Service (FBIS) and Joint Publications Research Service (JPRS) publications contain political, economic, military, and sociological news, commentary, and other information, as well as scientific and technical data and reports. All information has been obtained from foreign radio and television broadcasts, news agency transmissions, newspapers, books, and periodicals. Items generally are processed from the first or best available source; it should not be inferred that they have been disseminated only in the medium, in the language, or to the area indicated. Items from foreign language sources are translated. Those from English-language sources are transcribed, with the original phrasing and other characteristics retained.

Headlines, editorial reports, and material enclosed in brackets [] are supplied by FBIS/JPRS. Processing indicators such as [Text] or [Excerpts] in the first line of each item indicate how the information was processed from the original. Unfamiliar names which are rendered phonetically or transliterated by FBIS/JPRS are enclosed in parentheses. Words or names preceded by a question mark and enclosed in parentheses were not clear from the original source but have been supplied as appropriate to the context. Other unattributed parenthetical notes within the body of an item originate with the source. Times within items are as given by the source.

SUBSCRIPTION/PROCUREMENT INFORMATION

The FBIS DAILY REPORT contains current news and information and is published Monday through Friday in 8 volumes: China, East Europe, Soviet Union, East Asia, Near East & South Asia, Africa (Sub-Sahara), Latin America, and West Europe. Supplements to the DAILY REPORTs may also be available periodically and will be distributed to regular DAILY REPORT subscribers. JPRS publications generally contain less time-sensitive information and are published periodically. Current JPRS publications are listed in *Government Reports Announcements* issued semi-monthly by the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, Virginia 22161 and the *Monthly Catalog of U.S. Government Publications* issued by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

U.S. Government offices may obtain subscriptions to the DAILY REPORTs or JPRS publications (hardcovers or microfiche) at no charge through their sponsoring organizations. DOD consumers are required to submit requests through appropriate

command validation channels to DIA, RTS-2C, Washington, D.C. 20301. (Telephone: (202) 373-3771, Autovon: 243-3771.) For additional information or assistance, call FBIS, (703) 527-2368, or write to P.O. Box 2604, Washington, D.C. 20013.

The public may subscribe to either hardcover or microfiche versions of the DAILY REPORTs and JPRS publications through NTIS at the above address or by calling (703) 487-4630. Subscription rates will be provided by NTIS upon request. Subscriptions are available outside the United States from NTIS or appointed foreign dealers. Back issues or single copies of the DAILY REPORTs and JPRS publications are not available. New subscribers should expect a 30-day delay in receipt of the first issue.

Both the DAILY REPORTs and the JPRS publications are on file for public reference at the Library of Congress and at many Federal Depository Libraries. Reference copies may also be seen at many public and university libraries throughout the United States.